

**TOWN OF ELSMERE  
COUNCIL MEETING MINUTES  
September 8, 2011  
COUNCIL CHAMBERS  
6:30 p.m.**

**CALL TO ORDER:** Mayor Deborah A. Norkavage called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

MAYOR	DEBORAH A. NORKAVAGE	PRESENT
1 <sup>ST</sup> DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 <sup>ND</sup> DISTRICT	STEVEN BURG	PRESENT
3 <sup>RD</sup> DISTRICT	ROBERT KACPERSKI	PRESENT
4 <sup>TH</sup> DISTRICT	CHARLES MCKEWEN	PRESENT
5 <sup>TH</sup> DISTRICT	JOANN I. PERSONTI	PRESENT
6 <sup>TH</sup> DISTRICT	EDWARD OLGA	ABSENT

Town Solicitor, Edward McNally – Present  
Town Manager, John Giles – Present  
Chief of Police, Laura Giles - Present

**PUBLIC COMMENT:** None

**APPROVAL OF MINUTES:**

**ACTION:** A motion was made by Councilwoman Personti to approve the minutes of the August 4, 2011 Special Council Meeting with no corrections. The motion was seconded by Councilman Jaremchuk.

**VOTE:**           6-0 with 1 Absent                   Motion carried

**ACTION:** A motion was made by Councilwoman Personti to approve the minutes of the August 11, 2011 Council Meeting with no corrections. The motion was seconded by Councilman Jaremchuk.

**VOTE:**           6-0 with 1 Absent                   Motion carried

**OLD BUSINESS:**

Consideration of Ordinance 541 for Third and Final Reading

**ACTION:** A motion was made by Councilman McKewen to consider Ordinance 541 Third and Final Reading. The motion was seconded by Councilwoman Personti.

Councilman Burg asked what the effective date of this ordinance would be.

Town Manager John Giles stated that the ordinance would be effective if passed at end of the meeting, however, the enforcement should not be done until the proper signs have been posted.

**VOTE:** 5-1 with 1 Absent Motion carried

1<sup>st</sup> District – No, 2<sup>nd</sup> District – Yes, 3<sup>rd</sup> District – Yes, 4<sup>th</sup> District – Yes,  
5<sup>th</sup> District – Yes, 6<sup>th</sup> District – Absent, Mayor – Yes

At this time Councilman Edward Olga arrived, the time was 6:37p.m.

Consideration of Ordinance 542 for Third and Final Reading

**ACTION:** A motion was made by Councilman Burg to consider Ordinance 542 Third and Final Reading. The motion was seconded by Councilman Jaremchuk.

Councilwoman Personti asked Town Manager Giles to read the section of the Town Code where the 72 hour grace period is not issued to subsequent violations.

Town Manager John Giles read for the record Chapter 171 Section 7A.

Councilman Burg stated that while the existing ordinance gains compliance it has its holes and he feels that this would gain an immediate compliance and deter residents from committing additional offenses.

Councilwoman Personti stated that she worked closely with residents within her district to enact the ordinance that has the 72 hour grace period and how the main goal of the ordinance was to gain quicker compliance which it has succeeded in doing. The other issue to consider is that the original ordinance was never intended to make the “Instant Ticket” program a “money maker.”

Councilman Jaremchuk stated that he feels this eliminates a lot of the running in circles to gain compliance.

Councilwoman Personti stated that there is an appeals process and that this would certainly increase the number of petitions heard by the Board of Adjustment.

Councilman Burg called the question.

**VOTE:** 5-2 Motion carried

1<sup>st</sup> District – Yes, 2<sup>nd</sup> District – Yes, 3<sup>rd</sup> District – No, 4<sup>th</sup> District – Yes,  
5<sup>th</sup> District – No, 6<sup>th</sup> District – Yes, Mayor – Yes

## **NEW BUSINESS:**

Consideration of transferring funds into the Christiana Bank and Trust account to cover expenses of the Elsmere Police Pension Plan.

**ACTION:** A motion was made by Councilman Jaremchuk to move \$65,662.04 from the Contingency Fund to the Christiana Bank and Trust Account. The motion was seconded by Councilman Burg.

**VOTE:**           6-1                   Motion carried

1<sup>st</sup> District – Yes, 2<sup>nd</sup> District – Yes, 3<sup>rd</sup> District – Yes, 4<sup>th</sup> District – Yes,  
5<sup>th</sup> District – No, 6<sup>th</sup> District – Yes, Mayor – Yes

Mayor Norkavage asked what the new balance of the contingency fund will be after the transfer.

Town Manager Giles asked the Finance to get that number and announce it when he is ready.

Consideration of Resolution 11-09

**ACTION:** A motion was made by Councilman Burg to consider Resolution 11-09. The motion was seconded by Councilman Jaremchuk.

**VOTE:**           7-0                   All-in-Favor                   Motion carried

## **DEPARTMENTAL REPORTS:**

### Code Enforcement

Town Manager John Giles presented the Code Enforcement Monthly Report.

Councilwoman Personti requested to add vacant properties to the Monthly Report.

Town Manager John Giles suggested that the Code Enforcement Office add that information quarterly so that the vacant properties are not listed where people can get to them.

### Finance

Town Manager John Giles announced that the new balance of the Contingency Fund after the Pension Transfer is \$262,086.01.

### Public Safety

Chief Laura Giles presented the Public Safety Report, she stated that she has submitted the Salle Grant and the EIDE Grant applications. She also reported that DELJIS has a

policy against releasing the address of complaint calls, therefore the next report will have a unit block but not an exact house location.

Mayor Norkavage asked if there were any updates regarding the plumbing problems in the duty room.

Chief Laura Giles reported that problems are still occurring and that the water is now coming up thru the floor in the prisoner bathroom.

A discussion occurred regarding the plumbing issues, possible sources of the leaks and the need to have a plumber come in and complete what appears to be a costly repair.

#### Public Works

Councilman Burg stated he is happy to see that the public works supervisor is attending the meetings and that the written reports contain helpful information.

#### Town Manager

Town Manager John Giles stated that he did not submit a written report because the council had been kept up to date during that month of anything that would have been in that report. He commended Miss Diana Poole on this meeting being the 4<sup>th</sup> month with no corrections necessary to meeting minutes. He announced that there will be a property sweep on Saturday, September 10, 2011 at 8:00am at the Fenwick Apartments location and once complete at Fenwick, everyone will move to Silverbrook Gardens. Code has begun preparing citations early and they will be ready to issue on Saturday.

### **ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:**

Councilwoman Personti stated that prior to the Council Meeting there was a meeting with representatives from the VA Hospital, County Councilman Reda and Several Representatives from the Town regarding debris build-up on the fence line behind Spruce Avenue, during which the representatives from the VA Hospital were accepting of the concerns and offered several possible remedies. She stated that during the meeting County Councilman Reda stated that there is creek maintenance being completed 2 to 3 times per year (which is not actually being completed).

Councilman Jaremchuk stated that he had a meeting of Rosemont Residents with the Public Safety Department where rumors regarding burglaries were straightened out and the residents' concerns were calmed.

**PUBLIC COMMENT:** None

## **ADJOURNMENT:**

**ACTION:** A motion was made by Councilman Jaremchuk to Adjourn into an Executive Session to discuss legal issues and not to return to the public. The motion was seconded by Councilwoman Personti.

**VOTE:**            7-0      All-in-Favor            Motion carried

These minutes summarize agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tapes may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

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**DEBORAH A. NORKAVAGE**  
**MAYOR**

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**JOANN I. PERSONTI**  
**SECRETARY**